

BILL NO. R-73-10 -01

RESOLUTION NO. R- 69-73

A RESOLUTION authorizing an appeal to the State Board of Tax Commissioners and Local Government Tax Control Board from tax rate and tax levy reductions imposed under Public Law No. 50.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, has adopted a budget which, in the opinion of said Common Council, is essential if said City is to carry out the governmental functions and responsibilities committed to it by law; and

WHEREAS, the taxes necessary to fund said budget cannot be raised under the limitations of Section 3, Public Law No. 50, Acts of 1973.

NOW THEREFORE, the appropriate officers of said City are authorized and directed to take all steps necessary to present an appeal to the State Board of Tax Commissioners and Local Government Tax Control Board for relief from such limitations and for reinstatement of the tax rates and levies incorporated in the budget for 1974 heretofore approved by the Common Council.

William T. Lingal
Councilman

APPROVED AS TO FORM
AND LEGALITY, _____

James H. Logan
Common Council Attorney
Michael S. Allen

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: _____

CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

AYES 7, NAYS 2, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	_____	_____	_____	_____
HINGA	✓	_____	_____	_____
KRAUS	✓	_____	_____	_____
MOSES	✓	_____	_____	_____
NUCKOLS	✓	_____	_____	_____
SCHMIDT, D.	_____	✓	_____	_____
SCHMIDT, V.	✓	_____	_____	_____
STIER	✓	_____	_____	_____
TALARICO	✓	_____	_____	_____

DATE: 10/2/73

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. R-69-73 on the 2nd day of October, 1973.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 2nd day of October, 1973, at the hour of 8:30 o'clock A.M., E.S.T.

CITY CLERK

Approved and signed by me this 3 day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

MAYOR

BEFORE THE STATE BOARD OF
TAX COMMISSIONERS OF INDIANA

IN THE MATTER OF THE APPEAL)	
OF THE CITY OF FORT WAYNE,)	
INDIANA FROM THE ALLEN COUNTY)	PETITION
TAX ADJUSTMENT BOARD.)	

The City of Fort Wayne, Indiana appeals from the tax levy and rate fixed by the Allen County Tax Adjustment Board and for its petition alleges and says that:

1. Petitioner is a second class city situated in Allen County, Indiana.

2. Petitioner, through its administration and common council, devoted a great deal to time and study to the preparation of a budget for the year 1974, seeking to arrive at a budget which would enable petitioner to perform its governmental functions.

3. Pursuant to law, petitioner's officers filed with the County Auditor a statement of its tax levies and rates, together with the aforesaid budget, said budget being the budget upon which said tax levies were based.

4. The Allen County Tax Adjustment Board has reduced said budget and said tax levies and rates in the following manner:

- a) Line 1 of certain 12 line statements were reduced, to-wit:
 - i. General Fund, \$505,234;
 - ii. Sewer Relief Fund, \$400,000;
 - iii. Redevelopment Capital Fund, \$100,000.

- b) The rates for the aforesaid items were reduced as follows:

- i. General Fund \$.12388;
- ii. Sewer Relief Fund \$.09808;
- iii. Redevelopment Capital Fund \$.02452.

5. The budget for the General Fund was fixed by petitioner at a figure which would permit increases in the compensation of petitioner's employees, none of whom has received any such increase since January 1, 1972. During this period there has been an increase in the cost of living in Fort Wayne probably without historical precedent. Petitioner, like any other city, is no better than its employees. Petitioner cannot continue to attract and retain the high quality employees necessary to the proper functioning of a second class city in the year 1974 unless it can pay such employees at a rate reflecting both their qualifications and the high cost of living. The reduction in the General Fund, if permitted to stand, would be particularly harmful in that the bulk of the increased compensation was to be paid to policemen and firemen, whose services are so peculiarly necessary in this age.

6. The budget for the Sewer Relief Fund was fixed by petitioner at a figure which would permit petitioner to carry out storm sewer construction projects necessary if petitioner is to avoid costly, hazardous and frequent floodings and if it is to lessen the threat of pollution and the placing of an under strain on its sanitary sewer system by the continued disposition of storm water through said sanitary sewer system.

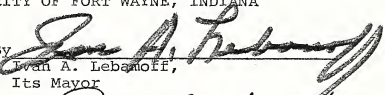
7. The budget for the Redevelopment Capital Fund was fixed by petitioner at a rate which would permit long overdue redevelopment projects which would permit petitioner to revitalize areas of its downtown which have become delapidated and which, in some instances, have deteriorated to such an extent that they no longer generate tax income for petitioner or any other unit of government.

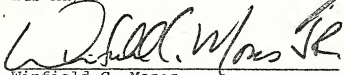
8. Petitioner's common council has authorized this appeal by resolution, a copy of which is identified as Exhibit A and attached hereto.

WHEREFORE, petitioner prays that the aforesaid tax levies and rates be increased from the amounts fixed by the Allen County Tax Adjustment Board and that said tax levies and rates be restored to the amounts originally fixed by petitioner.

CITY OF FORT WAYNE, INDIANA

By


Ivan A. Lebanoff,
Its Mayor


Winfield C. Moses,
President of Its Common Council

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	Q-73-10-01
ORDINANCE NO.	69-73
REGULAR SESSION	
X SPECIAL SESSION	10-2-73
APPROVED AS TO FORM AND LEGALITY	<i>Yellow Lagan</i>
BILL WRITTEN BY	<i>Controller</i>
DATE INTRODUCED	10-2-73
REFERRED TO SAID STANDING COMMITTEE	<i>Hanger Finance</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
X PASS	10-2-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

COUNCILMAN'S VOTE

	7	21	
	AYES	NAYS	ABSENT
BURNS		X	
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT		X	
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS: